

REMARKS

Reconsideration of the above-identified application in view of the amendments above and the remarks following is respectfully requested.

Claims 1-25 are in this case. Claims 13-25 have been rejected under § 102(b) or § 103(a). Claims 1-12 have been allowed. Independent claim 13 and dependent claim 15 have now been amended. Dependent claim 14 has now been canceled. New independent claims 53 and 54, and dependent claims 55 and 56, have now been added.

Interview Summary

Reference is made to a telephone interview held on January 23, 2007, between Examiner Paul Smith of the PTO and Dr. Mark Friedman, Mr. Daniel Michaels and Dr. Yotam Levin, for the Applicant. The interview related to the § 103(a) rejections of dependent claims 14-18 over the Gerstel and Tobinaga references, as well as questions of claim language. Agreement was reached to the extent that the rejection of these claims would be withdrawn, the finality of the official action withdrawn, and amendments to the claims would be entered and given consideration.

The Applicant pointed out to the Examiner that the filing date of the Tobinaga reference applied to claims 14-18 is September 18, 2003, while the international phase of the present application was filed on March 4, 2003. As a result, the Tobinaga et al. reference is not applicable as prior art against the present invention.

After reviewing the material, the Examiner agreed that the rejection was erroneous. Under these circumstances, the Examiner agreed that he would withdraw the finality of the official action, and that consideration would be given to claim

amendments the Applicant indicated an intention to file turning dependent claims 14, 16 and 17 into independent form.

The interview also addressed issues of claim language relating to claims 14, 16 and 17. With regard to claims 16 and 17, the Examiner indicated that he considered the structural definitions clear. In claim 14, the Examiner indicated that he considered the language of "non-zero component along said penetration direction" to include all directions except for exactly perpendicular to the penetration direction, and therefore found the definition unclear. Various alternative wordings were discussed. The Applicant indicated that the would file an amended claim language in which this definition was made clearer.

The Applicant thanks the Examiner for his generous allocation of time and his helpfulness in this matter.

§ 102(b) & § 103(a) Rejections – Claims 1-25

The Examiner has rejected claims 13, 19 and 20 under § 102(b) as being anticipated by Gerstel. The Examiner has also rejected claims 14-18 under § 103(a) as unpatentable over Gerstel in view of Tobinaga et al. The Examiner has rejected claim 21 under § 103(a) as unpatentable over Gerstel in view of Peterson et al. The Examiner has also rejected claims 22-24 under § 103(a) as unpatentable over Gerstel in view of Palmer. Finally, the Examiner has rejected claim 25 under § 103(a) as unpatentable over Gerstel in view of Eppstein and Paul. The Examiner's rejections are respectfully traversed.

As detailed in the interview summary above, the Examiner has now agreed that the Tobinaga et al. reference was improperly cited, and has withdrawn the rejections of claims 14-18.

While continuing to traverse the Examiner's remaining rejections, the Applicant has chosen, in order to expedite the prosecution, to amend independent claim 13 to include the limitations of now canceled dependent claim 14, thereby rendering moot the rejection of claim 13 under § 102(b).

Additionally, the language of claim 14, now included in claim 13, defining the relation between the penetration direction and the path of motion has been amended to render the definition more distinct, thereby addressing the issues of clarity discussed in the interview. Specifically, instead of the "non-zero component" language considered problematic to by the Examiner, the claim now recites that "said path of movement has a positive component along said penetration direction," thereby clearly specifying the geometrical correlation between the path of motion and the penetration direction.

Dependent claim 15 has been amended to depend from claim 13. New dependent claim 56 further specifies that the path of movement is substantially parallel to the penetration direction.

Support for these amendments may be found in the specification, and in particular, in Figures 6B and 10A, and the corresponding description.

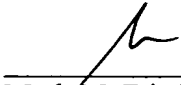
In a similar manner, claims 16 and 17, of which rejections were withdrawn by the Examiner, have been rewritten in independent form as new independent claims 53 and 54, respectively. Dependent claim 18 has been reproduced as new dependent claim 55.

In view of the withdrawal of the Examiner's rejections based on Tobinaga et al., the Applicant believes that independent claims 13, 53 and 54 now correspond to subject matter not currently subject to any rejection. The Applicant therefore

respectfully submits that independent claims 13, 53 and 54, and hence also claims 15-25, 55 and 56 which depend therefrom, are now in condition for allowance.

In view of the above amendments and remarks it is respectfully submitted that independent claims 13, 53 and 54, and hence also claims 15-25, 55 and 56 which depend therefrom, are in condition for allowance. Claims 1-12 have already been allowed. Prompt notice of allowance is respectfully and earnestly solicited.

Respectfully submitted,



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